

1 Muriel B. Kaplan, Esq. (SBN 124607)  
Michele R. Stafford, Esq. (SBN 172509)  
2 SALTZMAN & JOHNSON LAW CORPORATION  
120 Howard Street, Suite 520  
3 San Francisco, CA 94105  
(415) 882-7900  
4 (415) 882-9287 – Facsimile  
mkaplan@sjlawcorp.com  
5 mstafford@sjlawcorp.com

6 Attorneys for Plaintiffs

7  
8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 GIL CROSTHWAITE, et al. as Trustees of the  
12 OPERATING ENGINEERS HEALTH AND  
WELFARE TRUST FUND FOR NORTHERN  
13 CALIFORNIA, et al.,

14 Plaintiffs,

15 v.

16 LAND TECHNOLOGY, INC. et al.,

17 Defendants.

Case No.: C07-5321 TEH

**REQUEST TO CONTINUE CASE  
MANAGEMENT CONFERENCE**

Date: February 4, 2008

Time: 1:30 p.m.

Judge: Honorable Thelton E. Henderson

18 The parties hereby request continuance of the Case Management Conference currently set  
19 for February 4, 2008 at 1:30 p.m. before the Honorable Thelton E. Henderson, as follows:  
20

21 1. Plaintiffs brought this action to compel an audit of defendants' records to determine  
22 compliance with their Collective Bargaining Agreement, as to proper reporting to Plaintiff Trust  
23 Funds.

24 2. Defendants thereafter scheduled the audit (as requested in the Complaint) with the  
25 Trust Funds' auditors.

26 3. An audit report was recently issued and sent to Defendants, to review and respond,  
27 or pay amounts found due. Defendants did not respond or pay, but Plaintiffs are now advised that  
28

1 Defendants may make a proposal for resolution in lieu of a Motion for Summary Judgment being  
2 filed by Plaintiffs.

3 4. The parties therefore request that the Case Management Conference be continued  
4 for approximately 60 days to allow for negotiations between them to be finalized, or in the  
5 alternative for Plaintiffs to bring their Motion for Summary Judgment.

6  
7 Dated: January 28, 2008

SALTZMAN AND JOHNSON  
LAW CORPORATION

8  
9 By: \_\_\_\_\_/s/\_\_\_\_\_

10 Muriel B. Kaplan  
11 Attorneys for Plaintiffs

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13 GIANELLI & ASSOCIATES

14  
15 By:  \_\_\_\_\_

16 David C. Johnston

17 IT IS SO ORDERED.

18 The currently set Case Management Conference is hereby continued to  
19 \_\_\_\_\_ at \_\_\_\_\_, and all previously set deadlines and  
20 dates related to this case are vacated, to be reset at that Conference.

21  
22 Date: \_\_\_\_\_  
23  
24  
25  
26  
27  
28  
United States District Court Judge